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Facebook, Inc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SIX4THREE, LLC,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

Case No. 3:17-cv-00359-WHA

**[PROPOSED] ORDER REGARDING  
DEFENDANT FACEBOOK, INC.'S NOTICE  
OF WITHDRAWAL OF OPPOSITION TO  
PLAINTIFF SIX4THREE, LLC'S MOTION  
TO REMAND**

Date: February 16, 2017  
Time: 8:00 a.m.  
Ct rm: 8, 19th Floor  
Judge: Honorable William Alsup

1 WHEREAS, on February 14, 2017, the Court issued an Order Granting Request to File a Surreply  
2 and Requesting Response from Plaintiff (“Order”), stating:

3 . . . [B]y **FEBRUARY 15 AT 2:00 P.M.**, plaintiff shall state unequivocally  
4 whether it will rely in any way on any federal law to support its claims  
5 herein. The response must be either “yes” or “no.” If the answer is “no,”  
6 plaintiff will be bound to that answer and on remand may not rely on any  
7 federal law.

8 ECF No. 28 at 2;

9 WHEREAS, on February 14, 2017, Plaintiff Six4Three, LLC (“Six4Three”) filed its Response to  
10 Order Granting Request to File a Surreply and Requesting Response from Plaintiff (“Response”), stating:

11 Plaintiff Six4Three, LLC hereby responds to Judge Alsup’s Order  
12 Granting Request to File a Surreply and Requesting Response from  
13 Plaintiff (#28) as follows: No.

14 ECF No. 29 at 1;

15 WHEREAS, Six4Three has therefore stated that it will not “rely in any way on any federal law to  
16 support its claims” and is “bound to that answer and on remand may not rely on any federal law,” ECF  
17 No. 28 at 2;

18 WHEREAS Facebook has withdrawn its Opposition to Six4Three’s Motion to Remand, ECF No.  
19 20, filed February 6, 2017 (“Opposition”), ECF No. 30 at 1;

20 Six4Three’s Motion to Remand is GRANTED. This case shall be remanded to the Superior  
21 Court of California, County of San Mateo.

22 IT IS SO ORDERED.

23 Dated: \_\_\_\_\_

24 \_\_\_\_\_  
25 HONORABLE WILLIAM ALSUP  
26 UNITED STATES DISTRICT JUDGE  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that on February 15, 2017 the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing to the attorneys of record in this case.

*/s/ Sonal N. Mehta*  
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SONAL N. MEHTA